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FILED

Counsel for Defendant JUAN CORTEZ-PADILLA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                           |   |  |
|---------------------------|---|--|
| UNITED STATES OF AMERICA, | ) | No. CR 11-00872 RMW                      |
|                           | ) |  |
| Plaintiff,                | ) | STIPULATION AND <input type="checkbox"/> |
|                           | ) | ORDER CONTINUING HEARING DATE            |
| vs.                       | ) | AND EXCLUDING TIME UNDER THE             |
|                           | ) | SPEEDY TRIAL ACT                         |
| JUAN CORTEZ-PADILLA,      | ) |  |
|                           | ) |  |
| Defendant.                | ) |  |
|                           | ) |  |

**STIPULATION**

Defendant Juan Cortez Padilla, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Special Assistant United States Attorney Meredith Edwards, hereby stipulate that, with the Court's approval, the status hearing currently set for Monday, June 18, 2012, at 9:00 a.m., shall be continued to Monday, July 16, 2012, at 9:00 a.m.

The reason for the requested continuance is counsel for Mr. Cortez-Padilla requires additional time to conduct legal research and investigation relating to the filing of pretrial motions. Defense counsel respectfully requests additional time to effectively prepare Mr. Cortez-

1 Padilla's defense, and therefore respectfully requests a continuance of the status hearing  
2 previously set in this matter on June 18, 2012 to July 16, 2012.

3 Accordingly, the parties agree that the time between June 18, 2012, and July 16, 2012  
4 may be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for  
5 effective preparation by defense counsel.

6  
7 Dated: June 13, 2012

8 /s/  
VARELL L. FULLER  
Assistant Federal Public Defender

9  
10 Dated: June 13, 2012

11 /s/  
MEREDITH EDWARDS  
Special Assistant United States Attorney

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1 ~~PROPOSED~~ ORDER

2 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY  
3 ORDERED that the hearing currently set for Monday, June 18, 2012, shall be continued to  
4 Monday, July 16, 2012, at 9:00 a.m.

5 THE COURT FINDS that failing to exclude the time between June 18, 2012, and July 16,  
6 2012, would unreasonably deny the defendant reasonable time necessary for effective  
7 preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§  
8 3161(h)(7)(B)(iv).

9 THE COURT FINDS that the ends of justice is served by excluding the time between  
10 June 18, 2012, and July 16, 2012, from computation under the Speedy Trial Act and outweigh  
11 the interests of the public and the defendant in a speedy trial.

12 THEREFORE, IT IS HEREBY ORDERED that the time between June 18, 2012, and  
13 July 16, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §  
14 3161(h)(7)(A) and (B)(iv).

15 IT IS SO ORDERED.

16 Dated: June Fí, 2012



THE HONORABLE RONALD M. WHYTE  
United States District Judge